



United States Department of the Interior

NATIONAL PARK SERVICE
Interior Region 1- National Capital Area
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

FOIA 2022-005613

September 14, 2022

Kevin Bogardus
E&E News
1000 Wilson Boulevard, 8th Floor
Arlington, Virginia 22209
kbogardus@eenews.net

Dear Mr. Bogardus:

Subject: Freedom of Information Act Request Dated August 16, 2022
National Park Service (NPS) *re: Fox News/Lincoln Memorial Virtual Town Hall*

This letter is in response to your Freedom of Information Act (FOIA) request dated August 16, 2022, in which you requested: "I request the photographs and/or images described as "photo documentation" of the debris and/or the damage left by President Donald Trump's Lincoln Memorial town hall event on May 3, 2020. ...for more detail on this event (please see 616-617.pdf)"

The following response was prepared by the National Capital Area through consultation with National Mall and Memorials Parks. The FOIA, 5 U.S.C. § 552, generally provides that the Government shall make documents available to the public for inspection and copying to the widest extent possible. However, certain classes of documents may be exempt. The FOIA does not require that new records be created in response to a request and only applies to records in existence at the time the request is received. Additionally, because the NPS creates and maintains law enforcement records, we are required by the Department of Justice to provide the following information, even though it may or may not apply to your specific request. Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that we are required to give all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

We have enclosed **13** pages of photos that are responsive to your request which are being released to you in full. As a note, please use the 'bookmark' feature in Adobe to view the description of these combined photos.

We have classified you as an "media" requester. However, we do not bill requesters for FOIA processing fees when their fees are less than \$50.00, because the cost of collection would be

greater than the fee collected. See [43 C.F.R. § 2.49\(a\)\(1\)](#). *Therefore, there is no billable fee for the processing of this request.*

Pursuant to 43 CFR § 2.57 you may appeal this response to the Department's FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal **no later than 90 workdays** from the date of this letter. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe the National Park Service's response is in error. You must also include with your appeal copies of all correspondence between you and the National Park Service concerning your FOIA request, including your original FOIA request and National Park Service's response. Failure to include with your appeal all correspondence between you and National Park Service will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

DOI FOIA/Privacy Act Appeals Office Contact Information

Department of the Interior
Office of the Solicitor
1849 C Street, N.W.
MS-6556 MIB
Washington, D.C. 20240
Attn: FOIA/Privacy Act Appeals Office
Telephone: 202-208-5339
Fax: 202-208-6677
Email: FOIA.Appeals@sol.doi.gov

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001

E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>

Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

Please do not hesitate to contact me with any further questions or concerns. I can be reached at the address above or by e-mail at cwatts@nps.gov.

Sincerely,



Christopher Watts
Freedom of Information Act Officer - National Capital Area- Region 1

















